

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

TODD SODERBERG, individually and as
Father and next of friend of A.S., and on behalf
of All Other Persons Similarly Situated,

Plaintiffs,

V.

PROGRESSIVE DIRECT
INSURANCE COMPANY,

Defendant.

Civil Action No. 3:17-cv-30057-MAP

**PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE OF COURT
TO FILE FIRST AMENDED COMPLAINT**

Plaintiffs, by and through their attorneys, and pursuant to Fed. R. Civ. P. 15(a), move for leave to file a First Amended Complaint. The proposed First Amended Complaint is attached hereto as **Exhibit A**. The purposes of the First Amended Complaint are as follows: (1) to clarify the definition of the proposed class and (2) to add factual allegations relating to the tolling of the statute of limitations for Plaintiffs and similarly situated household members of individuals who purchased Progressive insurance policies over the telephone. In further support of their Motion, Plaintiffs submit the accompanying Memorandum of Law.

/s/ Laura D. Mangini, Esq.

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Dated: 7/25/17

LOCAL RULE 7.1(A)(2) STATEMENT

Pursuant to Local Rule 7.1(A)(2), Plaintiffs' counsel hereby certifies that she contacted Defendant's counsel and attempted in good faith to resolve or narrow the issues raised by this Motion. Defendant's counsel indicated that Defendant does not oppose the Motion for Leave to File the First Amended Complaint and that Defendant expressly reserves its right to contend that the First Amended Complaint fails to state a claim for the reasons set forth in the pending motion to dismiss.

/s/ Laura D. Mangini_____

Laura D. Mangini, Esquire

CERTIFICATE OF SERVICE

I hereby certify that this document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing ("NEF") and paper copies will be sent to those indicated as non-registered participants on the date of its filing.

/s/ Laura D. Mangini, Esq.

Laura D. Mangini, Esq.